

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN FIEDLER, )  
Plaintiff )  
vs. ) Civil Action No. 09-1138  
 ) Judge Donetta W. Ambrose/  
 ) Chief U.S. Magistrate Judge Amy Reynolds Hay  
CHIEF OSBORNE; OFFICER ROBERT )  
STEESE; LAWRENCE T. SILVIA, )  
District Magistrate; ERIC NOVASAT, )  
Mercer County Probation and Parole )  
Officer; JEFFREY P. GILL; RYAN )  
BONNER, )  
Defendants )

ORDER

AND NOW, this 10<sup>th</sup> day of December, 2009, after the Plaintiff, Brian Fiedler, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until November 9, 2009, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the complaint is dismissed in part, pursuant to the authority granted courts by the Prison Litigation Reform Act (PLRA), for failure to state a claim upon which relief can be granted and, consequently, Defendants Silvia, Bonner and

Novasat are dismissed as party-defendants.

Donetta W. Ambrose  
DONETTA W. AMBROSE  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Brian Fiedler  
HR-1296  
SCI Mercer  
801 Butler Pike  
Mercer, PA 16137